



CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

November 13, 2006

S. 3718

Pool and Spa Safety Act

*As reported by the Senate Committee on Commerce, Science, and Transportation
on September 29, 2006*

SUMMARY

The Pool and Spa Safety Act would require the Consumer Product Safety Commission (CPSC) to undertake several initiatives intended to improve the safe use—especially among children—of swimming pools, spas, and similar products. It would require the agency to issue regulations designed to reduce the risk of entrapment in all pools and spas manufactured or distributed within the United States. It would establish a new grant program within the CPSC to assist states in enforcing pool and spa safety standards that meet certain federal guidelines. The bill also would authorize funding of a public education program about pool safety.

Assuming appropriation of the specified amounts, CBO estimates that implementing the bill would cost \$8 million in 2008, \$43 million over the 2008-2011 period, and \$60 million over the 2008-2016 period. Enacting S. 3718 would not affect direct spending or receipts.

S. 3718 would impose a private-sector mandate, as defined in the Unfunded Mandates Reform Act (UMRA), on manufacturers, distributors, and sellers of pool and spa drain covers. The bill would require that any swimming pool or spa drain cover manufactured, distributed, or entered into commerce in the United States meet certain entrapment protection standards. CBO expects that the costs of complying with that mandate would not exceed the annual threshold established by UMRA (\$128 million for private-sector mandates in 2006, adjusted annually for inflation). S. 3718 contains no intergovernmental mandates as defined by UMRA.

ESTIMATED COST TO THE FEDERAL GOVERNMENT

The estimated budgetary impact of S. 3718 is shown in the following table. The costs of this legislation fall within function 550 (health).

	By Fiscal Year, in Millions of Dollars									
	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
CHANGES IN SPENDING SUBJECT TO APPROPRIATION										
Authorization Level	0	15	15	15	15	15	0	0	0	0
Estimated Outlays	0	8	11	12	12	12	4	1	0	0

BASIS OF ESTIMATE

S. 3718 would authorize the appropriation of \$10 million a year for fiscal years 2008 through 2012 for a new grant program to be administered by the CPSC. States that have laws governing pool and spa safety that meet certain requirements specified in the bill would be eligible for grants to enforce those laws and to educate pool builders, owners, and the public about pool safety. States would be required to use at least half of their grant funds to enforce their pool safety laws.

The bill also would authorize the appropriation of \$5 million annually over the 2008-2012 period for the CPSC to establish a program designed to educate the public about pool and spa safety.

Assuming appropriation of the specified amounts, CBO estimates that implementing these programs would cost \$8 million in 2008, \$43 million over the 2008-2011 period, and \$60 million over the 2008-2016 period.

ESTIMATED IMPACT ON STATE, LOCAL, AND TRIBAL GOVERNMENTS

S. 3718 contains no intergovernmental mandates as defined in UMRA. The bill would provide grants to states for implementing and enforcing state laws that govern pool and spa safety. In order to receive the grants, states must have laws that comply with federal guidelines.

ESTIMATED IMPACT ON THE PRIVATE SECTOR

S. 3718 would impose a private-sector mandate, as defined in UMRA, on manufacturers, distributors, and sellers of pool and spa drain covers. The bill would require that any swimming pool or spa drain cover manufactured, distributed, or entered into commerce in the United States meet certain entrapment protection standards. The bill would require the Consumer Product Safety Commission to adopt as the national standard the current or revised standard for pool or spa drain covers developed by the American Society of Mechanical Engineers and the American National Standards Institute (ASME/ANSI). According to industry sources, a majority of the industry produces and distributes drain covers that meet the ASME/ANSI standard and currently is compliant with the mandate contained in the bill. Based on information from government and industry sources, CBO estimates that the incremental cost to comply with this mandate would not exceed the annual threshold established by UMRA (\$128 million for private-sector mandates in 2006, adjusted annually for inflation).

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